

MS PETITION  
PATENT  
2750-1235P

DADS  
#3



IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: N. ALEXANDROV et al. Conf.: 3595

Appl. No.: 09/689,984 Group: UNASSIGNED

Filed: October 13, 2000 Examiner: UNASSIGNED

For: SEQUENCE-DETERMINED DNA FRAGMENTS AND  
CORRESPONDING POLYPEPTIDES ENCODED  
THEREBY

RECEIVED

AUG 20 2003

OFFICE OF PETITIONS

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

**MS PETITION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 18, 2003

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Note: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

08/20/2003 AWONDAF1 00000035 022448 09689984

01 FC 1453 650.00 DA

1. Petition fee

Small entity - fee \$650.00 (37 C.F.R. § 1.17(m)).  
Applicant claims small entity status. See 37 C.F.R. § 1.27.

Other than small entity - fee \$1,300.00 (37 C.F.R. § 1.17(m))

2. Reply and/or fee

A. The reply to the above-noted Office action in the form of a continuation:

has been filed previously on .

is enclosed herewith.

B. The issue fee of \$0.00

has been paid previously on .

is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 C.F.R. § 1.20(d)) of \$55.00 for a small entity or \$110.00 for other than a small entity) disclaiming the required period of time is enclosed herewith.

4. Statement: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

- No fee is required.
- Check(s) in the amount of \$0.00 is/are enclosed.
- Please charge Deposit Account No. 02-2448 in the amount of \$650.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Raymond C. Stewart, #21,066

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Attachments:  Fee Payment  
 Reply (a continuation application)  
 Terminal Disclaimer Form  
 Additional sheets containing statements establishing unintentional delay  
 Other:

(Rev. 04/30/03)